IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 9004 of 2004

Between:

Municipal Council, Suryapet, rep. by its Commissioner
Shaik Abdul Khader Saheb, S/o. Shaik Mastan
49 years Suryapet, Nalgonda District.

..... PETITIONER

AND

1 The Deputy Director, Fisheries Department, Nalgonda,

Nalgonda District.
2 The District Collector, Nalgonda District.
3 The Revenue Divisional Officer, Nalgonda,Nalgonda District.
4 Ratnapuram Fishermen Cooperative Society Suryapet

Mandal, Nalgonda District.
5 Solipeta Fishermen Cooperative Society, Suryapet Mandal,

Nalgonda District.
6 Ramachandrapuram Fishermen Cooperative Society,

Suryapet Mandal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction one in the nature of mandamus declaring the inaction of the respondents in not taking any steps to stop the fishing operations in Musi Reservoir, Solipeta, Suryapet Mandal, Nalgonda District, as arbitrary, illegal and unjustified and consequently direct the respondents to take immediate steps to

stop the fishing operations in Musi Reservoir, Solipeta, Suryapet Mandal, Nalgonda District.

Counsel for the Petitioner: MR.C.V.MOHAN REDDY

Counsel for the Respondents 1 to 3: GP FOR FISHERIES

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner to declare the action of the respondents in not taking any steps to stop the fishing operations in Musi Reservoir, Solipeta, Suryapet Mandal, Nalgonda District, as arbitrary and illegal.

2. This Court, while ordering notice before admission on 12.05.2004, directed the second respondent to dispose of the representation of the petitioner dated 07.05.2004, if not already considered, within a period of three weeks.

3. In pursuance of the said direction, the Deputy Director of Fisheries, by proceedings No.258/B/2004 dated 18.05.2004 directed the Assistant Director of Fisheries, Nalgonda, to take necessary action and stop the fishing activity in Moosi Reservoir, Solipeta, Suryapet Mandal, Nalgonda District, temporarily, till the water position is improved, in the interest of public of Suryapet Municipality of Nalgonda District, from 20.05.2004 A.N., onwards till further orders, as per part II Clause No.9 of agreement bond.

4. A copy of the said proceedings is made available by the learned Government Pleader for Fisheries Department. Recording the same, the writ petition is disposed of. No costs.

13th December, 2004. ----------

SKM K.C.BHANU, J

TO

1 The Deputy Director, Fisheries Department, Nalgonda, Nalgonda

District.
2 The District Collector, Nalgonda District.
3 The Revenue Divisional Officer, Nalgonda,Nalgonda District.
4 Ratnapuram Fishermen Cooperative Society Suryapet

Mandal, Nalgonda District.
5 Solipeta Fishermen Cooperative Society, Suryapet Mandal,

Nalgonda District.
6 Ramachandrapuram Fishermen Cooperative Society,

Suryapet Mandal, Nalgonda District.

7 Two C.Cs. to G.P. for Fisheries, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

8 Two C.D. Copies.